

No. 21-1039 (L), 21-1082

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

WILD VIRGINIA, SIERRA CLUB, APPALACHIAN VOICES, THE  
WILDERNESS SOCIETY, PRESERVE CRAIG, SAVE MONROE, INDIAN  
CREEK WATERSHED ASSOCIATION, and  
THE MONACAN INDIAN NATION,

Petitioners,

v.

UNITED STATES FOREST SERVICE, an agency of the United States  
Department of Agriculture; JIM HUBBARD, in his official capacity as Under  
Secretary For Natural Resources and Environment, United States Department of  
Agriculture; KEN ARNEY, in his official capacity as Regional Forester of the  
Southern Region; UNITED STATES BUREAU OF LAND MANAGEMENT, an  
Agency of the U.S. Department of the Interior; DEB HAALAND, in her official  
capacity as Secretary of the Interior; MITCHELL LEVERETTE, in his official  
capacity as State Director, Bureau of Land Management, Eastern States,

Respondents,

and

MOUNTAIN VALLEY PIPELINE, LLC,  
Respondent-intervenor.

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On Petition for Review of Actions of the U.S. Forest Service  
and U.S. Bureau of Land Management

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**UNOPPOSED MOTION TO WITHDRAW**

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Pursuant to Federal Rule of Appellate Procedure 42(b) and Local Rule 42, Petitioner Monacan Indian Nation hereby moves to withdraw from the appeal, and more specifically the argument it presented in Section VI.C. of Petitioners' Opening Brief (ECF Nos. 28 and 48 at 31-39) and Section II.B. of Petitioners' Reply Brief (ECF No. 53-1 at 5-10). Petitioner Monacan Indian Nation has reached an agreement with Mountain Valley Pipeline, LLC that resolves the tribe's opposition to the proposed pipeline that is the subject of this appeal. As a result, Movants no longer have an interest in the outcome of this proceeding, and no longer wish to pursue any of their claims or arguments raised in the briefs. As such, Movants respectfully request leave to withdraw as a party to this proceeding.

Movant's attorney has contacted all counsel of record and advises the Court that this motion is unopposed. Furthermore, the Monacan Indian Nation agrees to bear its own costs and fees associated with the appeal.

WHEREFORE, Petitioner Monacan Indian Nation requests the Clerk to enter an order of dismissal and issue a copy of the order as the mandate.

DATED: August 16, 2021

Respectfully submitted,

/s/ William J. Cook

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 16, 2021, I electronically filed this Unopposed Motion to Withdraw Appeal with the Clerk of the Court by using the appellate CM/ECF System and served copies of the foregoing via the Court's CM/ECF system on all ECF-registered counsel.

/s/ William J. Cook

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